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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,353	01/19/2001	Yasuo Sugahara	1046.1233/JDH	7137
21171	7590	11/19/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			NGUYEN, DUSTIN	
		ART UNIT	PAPER NUMBER	
		2154		

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

<b>Application No.</b> 09/764,353  <b>Examiner</b> Dustin Nguyen	<b>Applicant(s)</b> SUGAHARA, YASUO	
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 21 July 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-24 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date _____<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____ |
|--|---|

**DETAILED ACTION**

1. Claims 1 – 24 are presented for examination.

***Response to Arguments***

2. Applicant's arguments filed 07/21/2004 have been fully considered but they are not persuasive.
3. As per remarks, Applicant's argued that (1) Freivald does not compare any "terminal update information" with "server side ... individual update information".
4. As to point (1), Freivald discloses the client or user submits terminal update information [ i.e. select portion ] [ col 7, lines 8-12 ] and server side individual update information received from the internet [ i.e. source document ] and extract update information [ i.e. parsing ] and comparing [ Abstract ]. Application's specification, Fig. 7 and page 14, line 2 to page 15, line 4, discloses an updating of new information, which is the same updating process as disclosed in the change-detection tool web server of Freivald [ 20, Figures 3, 4 ].
5. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., benefit of speeding processing) are not recited in the rejected claim(s) nor specification. Although the

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claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

6. As per remarks, Applicants' argued that (2) Glommen and Freivald do not disclose or suggest such a predetermined correction value.

7. As to point (2), Freivald discloses the above limitation [ col 8, lines 20-52 ].

*Jun  
11/10/01*

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glommen et al. [ US Patent No 6,393,479 ], in view of Freivald et al. [ US Patent No 6,219,818 ].

10. As per claim 1, Glommen discloses the invention substantially as claimed including an automatic display method for update information comprising the steps of:  
receiving an information transmission request including an address and terminal update information from a client terminal [ 702, Figure 7; and col 7, lines 64-col 8, lines 14 ];

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adding a display attribute to the extracted individual information [ i.e. image source file ] [ col 7, lines 2-6; and col 8, lines 44-48 ];  
and editing the individual information to which a display attribute is added and returning the edited individual information to said client terminal as document information for display [ 608, Figure 6; and col 9, lines 6-13 ].

Glommen does not specifically disclose reading out server side document information including individual update information for each piece of individual information;  
extracting individual information that is updated after said terminal update information by comparing said terminal update information and said individual update information;

Freivald discloses reading out server side document information including individual update information for each piece of individual information [ col 4, lines 5-8 and lines 17-19; and col 15, lines 66-col 16, lines 5 ];

extracting individual information that is updated after said terminal update information by comparing said terminal update information and said individual update information [ col 4, lines 53-col 5, lines 6 ];

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Glommen and Freivald because Freivald's teaching of comparison would allow to keep data integrity by providing most up to date information.

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11. As per claim 2, Glommen discloses wherein said step of extracting said individual information comprises the steps of:

analyzing whether or not a tag in the server side document information is an update tag having an update attribute [ 706, 708, Figure 7 ];

reading out, if the tag is an update tag, update date and time or update date included in the update tag as individual update information [ col 10, lines 23-26 ];

comparing said update date and time or said update date with a last access date and time or a last access date with respect to said server side document information for each terminal included in said terminal update information [ col 8, lines 49-65 ]; and

extracting, as a result of said comparison, update information that is updated after the last access date and time or the last access date with respect to said server side document information [ col 10, lines 1-12 ].

Glommen does not specifically disclose  
reading out the server side document information.

Freivald discloses  
reading out the server side document information [ col 4, lines 5-8 and lines 17-19; and col 15, lines 66-col 16, lines 5 ].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Glommen and Freivald because Freivald's teaching would allow to supply to users with updated valuable information in an efficient manner.

12. As per claim 3, Glommen discloses wherein the editing of said individual information is processing for deleting an update tag having an update attribute added to the server side document information, and adding a general-purpose displaying tag or displaying figure that is readable by the client terminal [ col 9, lines 10-12; and col 14, lines 32-38 ].

13. As per claim 4, Glommen discloses wherein, if the terminal update information does not exist in said information transmission request, only deletion of the update tag having an update attribute added to said server side document information is performed when editing said individual information, and the server side document information after the deletion is returned to said client terminal as document information for display [ 704, Figure 7; and col 8, lines 36-48 ].

14. As per claim 5, Glommen discloses wherein, if the terminal update information does not exist in said information transmission request, processing of deleting the update tag having an update attribute added to the server side document information with respect to all pieces of individual information when editing said individual information and adding a general-purpose displaying tag or displaying figure that is readable by the client terminal is performed [ 710, Figure 7; and col 9, lines 4-13 ].

15. As per claim 6, Glommen does not specifically disclose wherein the comparison of said terminal update information and said individual update information is performed by adding a predetermined correction value to either said terminal update information or said individual

update information. Freivald discloses wherein the comparison of said terminal update information and said individual update information is performed by adding a predetermined correction value to either said terminal update information or said individual update information [ col 11, lines 1-20 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Glommen and Freivald because Freivald's teaching would allow to maintain data consistency in a communication network.

16. As per claim 7, Glommen does not specifically disclose wherein said predetermined correction value is the number of days. Freivald discloses wherein said predetermined correction value is the number of days [ col 13, lines 38-40 ]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Glommen and Freivald because Freivald's teaching would allow to update information according to the needs of user for improved user's convenience.

17. As per claim 8, it is rejected for similar reasons as stated above in claims 2 and 7.

18. As per claims 9-16, they are apparatus claimed of claims 1-8, they are rejected for similar reasons as stated above in claims 1-8.

19. As per claims 17-24, they are program product claimed of claims 1-8, they are rejected for similar reasons as stated above in claims 1-8.

**20. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen  
Examiner  
Art Unit 2154



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
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